

FILED

JUL 26 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN FRANCISCO DIVISION

14 DAVID E. LIPTON and DANA F.
 15 THIEBDEAU, individually and on behalf of all
 16 others similarly situated,

17 Plaintiffs,

18 v.

19 INTEL CORPORATION, a Delaware
 20 corporation,

21 Defendant.

No. C-05-2669

STIPULATION AND [PROPOSED]
 ORDER TO CONTINUE FILING DATE
 FOR DEFENDANT'S RESPONSE TO
 PLAINTIFFS' COMPLAINT

22 IT IS STIPULATED BY AND BETWEEN THE PARTIES, THROUGH THEIR
 23 COUNSEL AS FOLLOWS:

24 Pursuant to Civil Local Rule 6-2, Plaintiffs David E. Lipton and Dana F.
 25 Thibedeau and Defendant Intel Corporation hereby stipulate that Intel Corporation's response to
 26 Plaintiff's complaint shall be due either 60 days after transfer of the above captioned case
 pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section
 1407 or, in the alternative, 45 days after any such motion has been denied. The parties request
 this transfer because the plaintiffs in *Brauch, et al. v. Intel Corp.*, No. C 05-2743 (BZ) (N.D.

STIPULATION AND [PROPOSED] ORDER TO CONTINUE RESPONSE DATE

1 Cal., filed July 5, 2005), a related matter, have filed a petition to coordinate or consolidate pro-
2 trial proceedings per 28 U.S.C. Section 1407, and the above-styled action has been identified as a
3 related action to that petition. As a result the outcome of the pending petition will impact
4 significantly the schedule of this case.

5 This is the first stipulation between the parties. Because this litigation has just
6 begun, granting such a stipulation will not have any negative impact on the schedule of this case.

7 IT IS HEREBY STIPULATED.
8 DATED: July 1, 2005

9 Bingham McCutchen LLP

10
11 By: 

12 JOY K. FUYUNO
13 Attorneys for Defendant
14 Intel Corporation

15
16 Law Offices of Jeffrey F. Keller

17
18 By: 

19 JEFFREY F. KELLER
20 Attorneys for Plaintiffs
21 David E. Lipton and Dana F. Thiebedeau

JUL 20, 2005 10:49AM FROM BINGHAM MCCUTCHEN - SF 4155437861 NO. 9623 P. 7/19
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[PROPOSED] ORDER TO CONTINUE DEFENDANT'S RESPONSE DATE

IT IS HEREBY ORDERED that Defendant Intel Corporation's response to Plaintiff's complaint shall be due either 60 days after transfer of the above captioned case pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section 1407, or, in the alternative, 45 days after any such motion has been denied.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: July 25, 2005


Honorable Marilyn Hall Patel
United States District Judge